

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 2-2005)TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

221 110

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/500,601

INTERNATIONAL APPLICATION NO.  
PCT/DE02/04754INTERNATIONAL FILING DATE  
31 December 2002PRIORITY DATE CLAIMED  
31 December 2001

## TITLE OF INVENTION

Methods for Detecting Nucleic Acids While Using Solid Phase Bound Primers and Cleaving the Products of a Cyclic Amplification Reaction (Trap Release Primer Amplification [TRAMP])

APPLICANT(S) FOR DO/EO/US

REPP, Reinald

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV558410847US
23. ☒ Other items or information:

Return Postcard; Notification of Defective Response; Response to Notification of Defective Response; Sequence Listing Verification;  
Hard copy of Sequence Listing; Certificate of Express Mail

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/500,601		PCT/DE02/04754		221801-1010	
The following fees are submitted:				CALCULATIONS	PTO USE
24. <input type="checkbox"/> Basic national fee . . . . .				\$300	\$0.00
25. <input type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). . . . .				\$100	\$0.00
All other situations. . . . .				\$200	
26. <input type="checkbox"/> Search fee . . . . .					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority . . . . .				\$100	
International Search Report prepared and provided to the Office . . . . .				\$400	
All other situations. . . . .				\$500	\$0.00
<b>TOTAL OF 24, 25 and 26 =</b>				\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0	/50 =	0	x \$250.00	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00	\$	\$0.00
Independent claims	- 3 =	0	x \$200.00	\$	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	\$0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
<b>SUBTOTAL =</b>				\$	\$0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
<b>TOTAL NATIONAL FEE =</b>				\$	\$0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	\$0.00
				Amount to be	\$
				Amount to be	\$

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

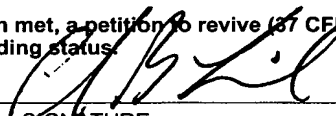
c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

LINDER, Christopher B.  
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP  
100 Galleria Parkway, N.W., Suite 1750  
Atlanta, GA 30339-5948  
US

  
 SIGNATURE  
 Christopher B. Linder  
 NAME  
 47,751  
 REGISTRATION NUMBER



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,601	Reinald Repp	221801-1010

Linder, Christopher B.  
 Thomas Kayden Horstemeyer & Risley  
 100 Galleria Parkway N W  
 Suite 1750  
 Atlanta, GA 30339-5948

INTERNATIONAL APPLICATION NO.	
PCT/DE02/04754	
LA. FILING DATE	PRIORITY DATE
12/31/2002	12/31/2001

CONFIRMATION NO. 7727  
 371 FORMALITIES LETTER  
 \*OC000000015731898\*  
 \*OC000000015731898\*

Date Mailed: 04/14/2005

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

DOCKETED

3mEXT  
 RESPONSE DUE 5/15/05  
 missing req.  
 THOMAS KAYDEN  
 HORSTEMEYER & RISLEY  
 APR 21 2005

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 06/30/2004
- Copy of the International Search Report filed on 06/30/2004
- Biochemical Sequence Diskette filed on 02/10/2005
- Biochemical Sequence Listing filed on 02/10/2005
- Small Entity Statement filed on 06/30/2004
- Copy of references cited in ISR filed on 06/30/2004
- U.S. Basic National Fees filed on 06/30/2004
- Priority Documents filed on 06/30/2004

Applicant's response filed 02/10/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 12/15/2004 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this

Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,601	PCT/DE02/04754	221801-1010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No. 7727

REPP, Reinald

Serial No: 10/500,601

Docket No.: 221801-1010

PCT Filing Date: 31 December 2002

For: METHODS FOR DETECTING NUCLEIC ACIDS WHILE USING SOLID  
PHASE BOUND PRIMERS AND CLEAVING THE PRODUCTS OF A  
CYCLIC AMPLIFICATION REACTION (TRAP RELEASE PRIMER  
AMPLIFICATION [TRAMP])

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**  
**UNDER 35 U.S.C. 371**

Mail Stop PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Defective Response mailed on April 14, 2005, the Applicant herewith submits a signed Combined Declaration and Power of Attorney, requested corrected Sequence Listings Diskette, and a Substitute Sequence Listing Verification in connection with the above-identified application.

If the Office believes that additional fees may be required, the Office is authorized to charge any deficiency to Deposit Account No. 20-0778.

Respectfully submitted,

  
Christopher B. Linder, Reg. No. 47,751  
Attorney for Applicant

THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.

100 Galleria Parkway, NW, Suite 1750  
Atlanta, Georgia 30339-5948

Date: 10 June 2005  
Customer No: 24504

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
UNDER THE PATENT COOPERATION TREATY**

In Re Application of: **REPP, Reinald**  
U.S. Serial No.: 10/500,601  
(Nat. Phase of Int. Appl. No.: PCT/DE02/04754)  
U.S. Filing Date: June 30, 2004  
(Int. Filing Date: 31 December 2002)  
Title: **METHODS FOR DETECTING NUCLEIC ACIDS WHILE USING SOLID PHASE BOUND  
PRIMERS AND CLEAVING THE PRODUCTS OF A CYCLIC AMPLIFICATION REACTION  
(TRAP RELEASE PRIMER AMPLIFICATION [TRAMP])**  
Atty Docket No.: 221801-1010

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

Mail Stop PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

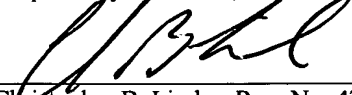
Sir:

Enclosed for filing in the above-captioned International application are the following documents:

1. Transmittal Letter (duplicate copy of fee page);
2. Copy of Notification of Defective Response under 35 U.S.C. 371;
3. Response to Notification of Defective Response under 35 U.S.C. 371;
4. Executed Combined Declaration and Power of Attorney;
5. Substitute Sequence Listing Verification;
6. Hard Copy of Sequence Listings;
7. Sequence Listings Diskette; and
8. Return receipt postcard.

The Commissioner is authorized to charge the deposit account No. 20-0778 any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778.

Respectfully submitted,

  
\_\_\_\_\_  
Christopher B. Linder, Reg. No. 47,751  
Attorney for Applicant

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

Suite 1750  
100 Galleria Parkway, N.W.  
Atlanta, GA 30339-5948  
Telephone: (770) 933-9500  
Facsimile: (770) 951-0933

I hereby certify that all correspondence listed above are being deposited for delivery to the above addressee, with the United States Postal Service as "Express Mail", under Express Mail Label No.

**EV558410847US** service under 37 CFR 1.10 on the date indicated below.

Date: 10 June 2005

  
\_\_\_\_\_  
Lara L. O'Brien